

### REMARKS

This Response is responsive to the Final Office Action mailed April 4, 2005. In that action: the previously-submitted terminal disclaimer was not accepted; claims 1, 2, 4-7, 11, 15, 19, and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Salvo, et al. (USPN 6,356,205) in view of Dickey, et al. (USPN 5,821,405); claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Salvo, Dickey, and Owens (USPN 5,995,020); claim 8 was rejected under § 103(a) as being unpatentable over Salvo, Dickey, and further in view of Datasonde 4a/Brochure entitled New Series 4a Water Quality Instruments from Hydrolab; claim 9 was rejected under § 103(a) as being unpatentable over Salvo, Dickey, and further in view of Mills, et al. (USPN 6,165,005); claims 10, 12-14, 16-18, and 21 were rejected under § 103(a) as being unpatentable over Salvo, Dickey, and further in view of Henry, et al. (USPN 6,305,944).

Claims 1-9, 11, 15, 19, and 20 were canceled in the Amendment and Response filed February 10, 2005. Claims 10, 12, 14, 16, 17, and 21 were amended into independent form in that earlier amendment. Reconsideration of the rejected claims is hereby requested.

Claims 10, 12-14, 16-18, and 21 have been rejected in part based on Henry (USPN 6,305,944). A terminal disclaimer is enclosed herewith, along with a Power of Attorney giving the undersigned the power to sign the terminal disclaimer. In addition, a declaration under 37 CFR 1.130 is also enclosed herewith. It is believed that claims 10, 12-14, 16-18, and 21 are therefore patentable and in condition for allowance.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone

conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

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Date: June 30, 2005



## POWER OF ATTORNEY

On behalf of **In-Situ, Inc.**, a Wyoming corporation, having a principal place of business at 221 East Lincoln Avenue, Fort Collins, CO 80524, being the assignee of and owning all right, title and interest in the invention entitled "MULTI-PARAMETER MONITORING SYSTEM, for which application for Letters Patent of the United States has been made by **Kent D. Henry, Neal W. Syverson, Ronny D. Davis, Zachary A. Gray, Mark A. Watson, and Stanley B. Smith**, said application having been filed on February 6, 2002, receiving Serial No. 10/072,203, and further identified as Attorney File No. 42074-00391, I, Ken Stutzman, Director of Engineering, **In-Situ, Inc.**, hereby appoint all attorneys and/or agents associated with Customer No. 25231 (MARSH FISCHMANN & BREYFOGLE LLP, 3151 South Vaughn Way, Suite 411, Aurora, Colorado 80014, telephone number (720) 562-5506), as its attorneys and agents with full powers of substitution, association and revocation to prosecute the application and related U.S. and foreign applications and to transact all business in the United States Patent and Trademark Office and all foreign and international patent offices connected therewith.

Date: 6/28/05

IN-SITU, INC.

By: 

Name: Ken Stutzman

Title: Director of Engineering

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